

REMARKS

The Office examined claims 1-8 and rejected same. With this paper, reconsideration is requested.

Rejections under 35 USC §102

At page 4 of the Office action, claims 1-8 are rejected under 35 USC §102 as being anticipated by Judd et al. (U.S. Pat. No. 7,016,963).

Of the rejected claims, only claims 1, 3 and 7 are independent. All recite a site structure database containing data indicating how accessible content is organized at a site accessible as a wireless access protocol portal by terminals of different types, wherein the data includes information indicating relationships between pages of accessible content and includes information indicating for each page and for each terminal type a template according to which content for the page is to be provided. The site structure database therefore indicates, in the sense of pointing to or identifying, different templates for displaying respective pages for respective terminal types. The information indicating a template for each page and for each terminal type cannot reasonably be asserted to be the templates themselves, which are, as recited in claims 2, 4 and 8, stored in a templates data store. If the information indicating templates for each terminal type was in fact the different templates, then that same information would be repeated over and over again in the site structure database, for each different page of the site. So the information indicating for each page and for each terminal type a template must be understood as identifying or pointing to a template, and from claims 2, 4 and 8, the template itself is held (once) in a template data store.

Applicant has argued that Judd discloses no such database, and that instead Judd discloses merely a templates database and

also discloses "transforming" content according to a "best fit." The process of transforming uses Judd's templates database. But the claimed site structure database cannot be equated to the template database of Judd since it merely holds templates, and Judd nowhere teaches a database that can be, i.e. a database holding information indicating for each page and for each terminal type a template, let alone one that also includes information that indicates relationships between pages of accessible content, both of which kinds of information are required by the invention as claimed in all of the independent claims. Judd merely discloses a database holding different templates and so a database that cannot be equated to the site structure database as recited, and Judd also discloses a process that ends up using one or another of the templates in the templates database, but at no point in the teaching of this process (sometimes and in some contexts referred to in Judd as a "best fit" method) is there any disclosure of a database that can be equated to the claimed site structure database.

Applicant has further argued that there is no teaching whatsoever of how to determine the best fit method or profile; there is only a teaching that the content category (at least) is used in determining the best fit method or profile, and the Examiner has disagreed as to this assertion, instead asserting that "Judd clearly teaches [how to determine the best fit method or profile] as the client variables identify the client ... [and] [o]nce the variables are identified, the "best fit" analysis commences" (For this, the Examiner relies on col. 11, lines 14-22 and lines 26-44.) Applicant appreciates that the client variables are input to the best fit analysis, but applicant still contends there is no teaching in Judd as to what specifically is done in the best fit analysis itself, and moreover the "client variables" appear to be merely user preferences, and so would not indicate a "terminal type" as required by the claims.

Also, applicant sees that the Examiner refers to "content transformation; 110, 115, 120, 125, 130 of figure 3)" for disclosure of "information indicating relationships between pages of accessible content," but applicant respectfully points out that the relationships are recited as relationships between pages, and the "content transformation" of Judd is nowhere indicated as disclosing a database holding information indicating such relationships in respect to "content transformation" or any other aspect of content adaptation.

Accordingly, applicant respectfully requests that the rejections under 35 USC §102 be reconsidered and withdrawn.

Conclusion

For all the foregoing reasons it is believed that all of the claims of the application are in condition for allowance and their passage to issue is earnestly solicited.

8 Dec. 2006

Date

WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
755 Main Street, P.O. Box 224
Monroe, CT 06468-0224

Respectfully submitted,



James A. Retter

Registration No. 41,266

tel: (203) 261-1234

Cust. No.: 004955